

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE CIT GROUP/BUSINESS CREDIT, INC.,

Plaintiff,

Case No. 09-cv-9861 (VM)

- against -

GRACO FISHING AND RENTAL TOOLS, INC.,
DAN-RAD COMPANY, LLC and DAN J. RAMBO,

Defendants.

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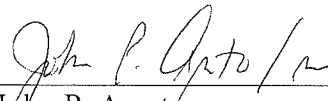
**NOTICE OF MOTION IN SUPPORT OF
PLAINTIFF'S COMBINED MOTIONS *IN LIMINE***

PLEASE TAKE NOTICE that upon the annexed Declaration of John P. Amato, Esq., dated August 19, 2011, with exhibits attached thereto, and the accompanying memorandum of law, Plaintiff, The CIT Group/Business Credit, Inc., by its counsel, Hahn & Hessen LLP, will move this Court, before the Honorable Judge Victor Marrero, at the Daniel P. Moynihan United States Courthouse, 500 Pearl Street, New York, New York, Courtroom 20B, on a date to be determined by the Court for an order (a) pursuant to Fed. R. Evid. 702 to strike the expert reports and exclude the testimony of defendants' two experts Patrick J. Kilbourne ("Kilbourne") and Donald R. Parker ("Parker"), and (b) pursuant to Fed. R. Civ. P. 73(c) to preclude defendants from introducing into evidence the Kilbourne report and certain documents relied on by Kilbourne and withheld from production during fact discovery.

PLEASE TAKE FURTHER NOTICE, pursuant to order of the Court, answering papers must be served no later than September 2, 2011 and reply papers, if any, must be served no later than September 9, 2011.

Dated: New York, New York
August 19, 2011

HAHN & HESSEN LLP

By: 
John P. Amato
A Member of the Firm

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